

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:99-00070

HELENA WASHINGTON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On January 29, 2007, the United States of America appeared by Kristina Raynes, Special Assistant United States Attorney, and the defendant, Helena Washington, appeared in person and by her counsel, Edward H. Weis, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by Senior United States Probation Officer Keith E. Zutaut, the defendant having commenced a twenty-four months less one day term of supervised release in this action on April 14, 2006, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on July 22, 2005.

The court heard the evidence, the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant violated federal, state and local law inasmuch as, upon being stopped for a traffic violation by law enforcement officers on December 6, 2006, she was in possession of a plastic package containing rocks of what appeared to be crack cocaine and which field tested as cocaine, it being noted that the package was under her left leg where she was seated on the driver's side, the court finding that the substance so possessed by the defendant was cocaine, if not crack; (2) that the defendant, when arrested on December 6, 2006, was in violation of state and local law inasmuch as she was driving on a suspended driver's license; (3) that the defendant failed to file required monthly reports from July 2006 until the filing of the petition on December 19, 2006; and (4) that the defendant failed to report for a urine screen as instructed on November 1, 2006; all as set forth in the petition on supervised release and it being further noted that violations (2) through (4) above were admitted by the defendant on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing that the serious nature of the violations, coupled with the defendant's history of supervised release violations, merits revocation of her supervised release and, further, that it would unduly depreciate the seriousness of the current set of violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if she is confined, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS.

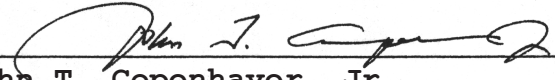
The defendant shall surrender for service of the sentence to the institution designated by the Bureau of Prisons by 2:00 p.m. on March 2, 2007.

After hearing the parties with respect to release pending the defendant reporting to the institution designated by the Bureau of Prisons, the court directed that the bond previously executed by the defendant shall continue for her appearance on March 2, 2007, and at such other time and place the court may direct, with the added conditions as follows: (1) that she continue to work at the Cold Spot on a full-time basis; (2) that she not associate with Housein Keaton directly or indirectly; and (3) that she submit to random urine screens at the rate of not less than one time per week.

Recommendation: The court recommends that the defendant be designated to the Federal Prison Camp in Alderson, West Virginia.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 2, 2007



John T. Copenhaver, Jr.
United States District Judge